

The Gazette of India

सत्यमेव जयते

PUBLISHED BY AUTHORITY

No. 5 NEW DELHI, SATURDAY, MAY 27, 1950

PART II—Section 4

Statutory Rules and Orders issued by the Ministry of Defence

MINISTRY OF DEFENCE

New Delhi the 27th May 1950

S. R. O. 50.—In pursuance of clause (g) of Rule 160 of the Indian Army Act Rules, and in supersession of the Note of the Government of India in the late Defence Department No. 504, dated 14th March 1942, the Central Government is pleased to declare that it is necessary for officers of the Indian Air Force to exercise command over persons subject to the Indian Army Act, 1911 (VIII of 1911), who are attached to, or are serving with Indian Air Force units.

S. R. O. 51.—The following bye-laws for regulating the control of rickshaws plying for hire and the grant of licences to proprietors or drivers of such rickshaws in the Delhi Cantonment framed by the Cantonment Board, Delhi, in exercise of the powers conferred by clauses (25), (26) and (27) of Section 282 and Section 283 of the Cantonments Act, 1924 (II of 1924) are published for general information, the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of Section 284 of the said Act, namely:—

BYE-LAWS

1. In these bye-laws—

(a) 'Rickshaw' means a tricycle of a special type propelled by human labour for carrying passengers.

(b) 'Driver' means the person who propels a rickshaw.

2. The Executive Officer shall be the Licensing Officer, and any official authorised by the Cantonment Board, shall act as Licensing Inspector for the purpose of these bye-laws.

3. No person shall keep any Rickshaw, or permit any rickshaw of which he is the owner, to ply for hire, within the limits of the Cantonment, except under a licence granted in his behalf by the Cantonment Board.

4. A licence under bye-law 3 shall, on an application of the proprietor of a rickshaw and on payment of the following fee, be issued by the licensing officer, in the form specified in the Appendix to these rules. All licences issued for the financial year shall terminate on the 31st of March and the

proprietors shall, within one month from the date of expiry of the licence, apply for and get it renewed for the following year:—

- | | |
|---|----------|
| (a) If licensed during the first quarter | Rs. 18/- |
| (b) If licensed during the second quarter | Rs. 15/- |
| (c) If licensed during the third quarter | Rs. 12/- |
| (d) If licensed during the fourth quarter | Rs. 9/- |

5. No licence shall be issued under bye law 4 until the rickshaw has been approved by the Executive Officer as complying with the following conditions:—

- (a) that it is not more than 5 feet wide over all;
- (b) that it is in good order and repair in all its parts;
- (c) that it is provided with—
 - (i) three lights, one in front and two lights one on each side of the rickshaw on the mud guards;
 - (ii) a red reflector at the rear;
 - (iii) cycle klaxon horn;
 - (iv) pneumatic tyres;
 - (v) one effective brake;
 - (vi) a leather or canvas hood and cushions;
 - (vii) mechanism in good state or repair and
 - (viii) a complete repair outfit.

6. Licences issued under bye-law 4 shall be numbered serially and the number of the licence shall be printed on a conspicuous part of the rickshaw to which the licence relates.

7. The number of persons to be carried shall not exceed two with 10 seers of luggage in the aggregate.

Explanation:—For the purposes of this bye-law, two children each less than twelve years of age, shall be reckoned as one person.

8. The licence granted under bye-law (4) can be transferred on payment of a fee of rupee one, only if notice of the transfer of ownership of a rickshaw is given in writing to the Executive Officer by the transferee within one week from the date of transfer. The Executive Officer shall thereupon call for the licence and endorse thereon the transfer after observance of bye-law 5.

9. Licences for rickshaws to ply for hire shall be granted on the following conditions:—

- (a) that the licensee shall keep the rickshaw clean and in good repair;
- (b) that the licensee shall not carry or permit to be carried in the rickshaw, persons exceeding the number and the luggage exceeding the weight specified in bye-law 7;
- (c) that the licensee shall not permit any person to propel the rickshaw, who has not been licensed for such purpose under bye-law 11.
- (d) that the licensee shall not demand any fare in excess of the maximum fare specified in the schedule appended to these bye-laws;
- (e) that on a demand made by any person at any time of the day or night while the rickshaw is plying for hire, the licensee shall not without reasonable cause, the burden of proving which shall be on him, refuse to let on hire the rickshaw with a driver to propel it;

- (f) that the licensee shall cause to be affixed on a conspicuous part of the rickshaw the licence granted in respect of such rickshaw and a copy of the authorised table of fares;
- (g) that should the licensee carry or permit to be carried in the rickshaw any person who is suffering from any infectious or contagious disease, or the corpse of any person who has died of such disease, he shall immediately after termination of his engagement for such purpose, intimation the fact to the Executive Officer, and shall not subsequently carry any other passenger in such rickshaw whether for hire or otherwise, until such rickshaw has been disinfected to the satisfaction of such officer and a certificate has been granted by him stating that it can be used without causing risk of infection;
- (h) that the licensee shall immediately cause to be returned to the owner, if known, or to be deposited at the nearest police station any property left by the passenger in the rickshaw;
- (i) that the licensee shall for the purpose of inspection permit the Licensing Officer, Licensing Inspector or any person specially authorised by the Executive Officer in this behalf, to enter upon the premises where any rickshaw is kept and shall also get the rickshaw inspected by any of such officers in the Cantonment Board Office, within 24 hours of the notice to do so or at such intervals as may be notified by the Licensing Officer;
- (j) that for the breach of any of these conditions the licence may be suspended or cancelled by the Licensing Officer.

Provided that a rickshaw kept within an adjoining municipal limits and licensed by the Municipal Board may bring passengers from the municipal area into the Cantonment limits.

10. No person shall propel a licensed rickshaw for hire except under a licence to be granted in this behalf by the Executive Officer

11. A licence to propel a licensed rickshaw for hire shall, on payment of a fee of rupee one per annum, be issued by the Licensing Officer, in the form appended to these bye-laws.

Provided that the Licensing Officer may refuse to grant a licence to any person if in his opinion the person applying for a licence is unfit to propel or is under 20 years of age.

Provided further that no such licence shall be issued or renewed, unless the person concerned has been medically examined and passed by the Medical Officer in charge, Cantonment Board Hospital as fit to propel a rickshaw.

12. A licence to propel a licensed rickshaw for hire shall be subject to the following conditions:—

- (a) that the licensee shall always when propelling a licensed rickshaw carry with him his licence and shall on demand, produce it for inspection by any person hiring such rickshaw or by the Executive Officer or any employee of the Cantonment Board authorised in this behalf. The licence shall contain a bust photograph of the licensee (driver) which shall be supplied by him at his own cost;
- (b) that the licensee shall always, when propelling a licensed rickshaw, wear on his arm the metal badge which shall be supplied to him

at a price fixed by the Cantonment Board, when the licence is issued to him;

- (c) that the licensee shall always, when propelling a licensed rickshaw, wear such clothing as may be specified by the Cantonment Board and shall keep such clothing in a clean and tidy condition;
- (d) that the licensee shall not demand any fare in excess of the fares specified in the schedule annexed hereto;
- (e) that the licensee shall not propel a licensed rickshaw while drunk or while suffering from any infectious or contagious disease, and shall not, while in charge of a licensed rickshaw, use insulting, abusive or obscene language or make any objectionable gestures;
- (f) that the licensee shall not carry or permit to be carried in the licensed rickshaw, persons exceeding the number and luggage exceeding the weight specified in bye-law 7;
- (g) that the licensee shall not, when awaiting passengers, park the rickshaw at any place in a public street except at a stand allotted for this purpose by the Cantonment Board;
- (h) that the licensee shall immediately return to the owner, if known, or deposit at the nearest police station any property left by the passenger in the rickshaw;
- (i) that should the licensee carry or permit to be carried in a licensed rickshaw of which he is in charge, any person who is suffering from any infectious or contagious disease or the corpse of any person who has died of such disease, he shall immediately after the termination of his engagement for such purpose, intimate the fact to the Executive Officer, and shall not subsequently carry any other passenger in such rickshaw, whether for hire or otherwise, until such rickshaw has been disinfected to the satisfaction of Executive Officer and a certificate has been granted stating that it can be used without causing risk of infection;
- (j) that the licensee shall not without reasonable cause, the burden of proving which shall lie upon him, refuse to let on hire or to propel a licensed rickshaw of which he is in charge if any person demands it;
- (k) that for breach of these conditions the licence may be suspended or cancelled by the Licensing Officer.

18. The maximum fare to be charged for the hire of rickshaws and for persons engaged to propel them, shall be in accordance with the schedule annexed to these bye-laws.

14. *Penalty.*—Any person committing a breach of any of these bye-laws shall, on conviction by a magistrate, be punishable with fine which may extend to fifty rupees and in the case of a continuing breach with an additional fine which may extend to five rupees for every day during which such breach continues after conviction for the first such breach.

०८०

Description of Rickshaw

Period of licence

Amount paid Rs. vide Receipt No.

dated

This licence has been granted in accordance with and subject to the observance of the bye-laws framed by the Delhi Cantonment Board for regulating the control of Rickshaws plying for hire in that Cantonment.

Licensing Officer,
(Executive Officer)
Delhi Cantonment.

Transferred on payment of a fee of rupee one vide Receipt No
dated to

Licensing Officer

Driving or propelling licence for Rickshaws plying on hire in Delhi Cantt.

No. of licence

Date

Licensee's name,
father's name,
caste and address } }

Ago

Description of Rickshaw which applicant wishes to drive

Period of licence

Amount paid Rs. vide Receipt No: dated

Schedule of rates for the hire of licensed rickshaw. [See bye-laws 8(d) and 12(d)].

(1) *By time* :—

- (a) for the first hour Re. 0/12/0
(b) For the second hour Re. 0/8/0
(c) For each subsequent hour or part thereof Re. 0/4/0

(2) *By distance*:-

- | | |
|--|-----------|
| (a) From Sadar Bazar to Church Bazar, Baird Place, Indian Garrison Cinema, and 26 General Hospital and vice versa] | Re. 0/4/0 |
| (b) For a single journey in the Cantonment occupying half an hour or less | Re. 0/6/0 |
| (c) From Railway Station to R.L.A.F Maude Lines, B.I. Lines, T.M.W. Lines and vice versa | Re. 0/8/0 |
| (d) From any part of the Cantonment to Delhi, New Delhi and return therefrom, if within a period of three hours. | Re. 2/- |
| (e) Per hour while waiting after three hours. | Re. 0/4/0 |

APPENDIX

RICKSHAW (VEHICLE) LICENCE

Delhi Cantonment

No: _____ Date: _____

Licensee's (owner's) name

Father's name, caste, and residence.

This licence has been granted in accordance with and subject to the observance of the bye-laws framed by the Delhi Cantonment Board for regulating the control of Rickshaws plying for hire in that Cantonment.

Licensing Officer,
(Executive Officer)
Delhi Cantonment.

Photo.

N.B.—This licence is not transferable.

(F. No. 12/15/G/L&C/50).

S.R.O. 52.—The following bye-laws for the regulation of recovery of cycle tax in Delhi Cantonment framed by the Cantonment Board, Delhi, in exercise of the powers conferred by clause (3) of Section 282 of the Cantonments Act, 1924 (II of 1924), are published for general information, the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of Section 284 of the said Act, namely:—

Bye-laws

1. Every person who owns or keeps a bicycle, tricycle, or autocycle, shall be the person liable to pay the tax as defined on the Government of India Gazette Notification No. 497 dated 19th March 1949.

2. Every person who is liable for payment of the tax under the preceding bye-laws shall apply in form "A" appended to these bye-laws to the Cantonment Executive Officer, within fifteen days of the possession of the vehicles liable to be taxed, for registration of the same.

3. The amount of tax shall be remitted after with the application which shall be collected and acknowledged by means of an official receipt (Form Caut 1-B) and no receipt or number plate shall be granted until the tax has been paid.

(F. No. 12/16/G/L&C/50)

4. The tax shall be collected by means of a licence in form "C" appended to these bye-laws and no licence shall be granted until the tax has been paid. Such licence shall be current only up to the 31st March, following the date of issue.

5. The licence shall be granted exclusively in the name of the licensee and shall not be transferable.

6. On expiry of the period of registration every owner or keeper of a vehicle liable to be taxed shall apply for the renewal of registration to the authority specified in bye-law 2.

7. From the information obtained as aforesaid and from any other information at its disposal the Cantonment Board shall cause to be prepared in form "B" appended to these bye-laws a Demand and Collection register in which the names of all tax payers shall be entered.

8. Any person whose name has been entered in the register referred to in bye-law 7, or the agent of any such person, shall be permitted free of charge to inspect and take extracts from any portion of the said register which relates to such person.

9. On payment of the tax a number plate will be issued by the Cantonment Board on payment of annas four which shall bear the same number as that shown in the register and shall be affixed by the tax payer on some conspicuous part of the vehicle for which it is issued.

10. If the number plate of a registered cycle is lost, a duplicate plate shall be issued on payment of a fee of annas six.

11. No tax shall be payable by the cycle dealers in respect of new cycles kept by them or by visitors and guests staying at the station for a period not exceeding fifteen days.

12. Any vehicle liable to be taxed out for which the tax has not been paid or which is without a number plate, if found on any public place, shall be liable to be seized by the Cantonment Executive Officer or any person authorised in this behalf by the Cantonment Board and detained at the Cantonment Board Store, Cantonment Board's office or any other place set apart for the purpose, and will only be released on composition of the offence and payment of the tax thereof.

13. Whoever contravenes any of the bye-laws shall, on conviction by a magistrate, be punishable with fine which may extend to fifty rupees and, in the case of a continued contravention, with a further fine which may extend to five rupees for every day during which such contravention continues after conviction, for the first such contravention.

Form "A".**To**

The Cantonment Executive Officer,
Delhi Cantonment

Please register my cycle the particulars of which are given below —

Name of owner and address	Cycle frame No	Model or Brand of maker	Amount paid	Remarks
------------------------------	----------------	----------------------------	-------------	---------

Certified that the cycle will be for PRIVATE USE/HIRE.

Date

Signature of owner or agent.

Rupees

credited *vide* Receipt No.

dated

Licence No.:

Disc No.

issued.

Tax Collector.

Form "B"

CANTONMENT BOARD, DELHI
Register of Cycle Tax for.....

Serial No.	Name of owner or keeper	Address of owner or keeper	Particulars of cycles Frame Model No. or Maker's Brand	For Hire or Private	Amount paid	Receipt No. & date	No. of Disc issued	No. of licence	Initial of Tax Collector	Remarks	
1	2	3	4	5	6	7	8	9	10	11	12

Form "C"**Cycle Tax Licence (Delhi Cantonment).**

Dated Book No. Licence No.

Whereas has paid to the Delhi Cantonment Fund Rupees he is permitted to keep within the Delhi Cantonment limits up to

Description of cycle/tricycle/autocycle.....

Cantonment Executive Officer,
Delhi Cantonment.

S.R.O. 53.—The following bye-laws for regulating the conditions for the grant of licences to persons keeping horses for profit on the Lucknow Cantonment made by the Cantonment Board, Lucknow, in exercise of the powers conferred by clause 16 of Section 282 of the Cantonments Act, 1924 (II of 1924), are published for general information, the same having been previously published, approved and confirmed by the Central Government as required by sub-section (1) of Section 284 of the said Act, namely—

In these bye-laws, unless the context otherwise requires,—

- (1) *Definition*—‘Horse’ shall include a mare, gelding pony, colt, or filly
- (ii) The place or places for keeping horses shall be approved by the Cantonment Executive Officer on the advice of Assistant Health Officer, Lucknow.
- (iii) The number of horses to be kept in a place shall be determined by the Cantonment Executive Officer.
- (iv) Animals suffering from any contagious disease shall not be permitted along with others in the stables.
- (v) The horses going to races shall use such routes as are permitted by the Cantonment Executive Officer for the purpose.
- (vi) Every owner or occupier of such stables shall be responsible for keeping the place tidy and for the removal of litter, dried refuse etc. to such places as the Cantonment Executive Officer may fix for the purpose. No litter or liquid matter of water used for washing the premises shall be permitted to flow into any public drain nor shall it be deposited in any public receptacle

Penalty

Any person committing a breach of any of these bye-laws shall on conviction by a Magistrate, be punishable with fine which may extend to FIFTY RUPEES and in the case of a continuing breach with an additional fine which may extend to FIVE RUPEES for every day during which such breach continues after conviction for the first such breach.

(F. No. 12/14/G/L.C./50)

S.R.O. 54.—The following bye laws for regulating the registration of births deaths and the taking of census, in the Jullundur Cantonment, made by the Cantonment Board, Jullundur, in exercise of the powers conferred by clause (1) of Section 282 and Section 288 of the Cantonments Act, 1924 (II of 1924), are hereby published for general information, the same having been previously published, approved and confirmed by the Central Government, as required by sub-section (1) of Section 284 of the said Act, namely:—

By-laws

1. All births and deaths which take place within the limits of the Cantonment and are reported in compliance with these bye-laws shall be registered at the office of the Cantonment Board.
2. The Executive Officer shall maintain or cause to be maintained by such official or officials as may be appointed by him for the purpose, separate registers for the registration of births and deaths:

Provided that in the case of foreigners an additional register for births and deaths shall be maintained.

The Laws Local Extent Act, 1874
(XV of 1874)

On page 470, in line 2 for “to the whole of India” read “in the whole of India”.

The Native Coinage Act, 1876
(IX of 1876)

On page 471, in line 3 for “Provinces” read “the Provinces”.

The Police Act, 1888
(III of 1888)

On page 480, in the marginal note for “Defin of” read “Definition of ‘State’”.

The Indian Railways Act, 1890
(IX of 1890)

On page 482, in line 13 for “of and” read “of”.

The General Clauses Act, 1897
(X of 1897)

On page 489, in line 7 for “and thereafter” read “or thereafter”.

The Indian Tolls (Army and Air Force) Act, 1901
(II of 1901)

On page 500, in line 16 for “(d)(iii)” read “(d)(iv)”.

The Indian Extradition Act, 1903
(XV of 1903)

On page 501, in line 11 for “in the territories” read “the territories”.

The Indian Lunacy Act, 1912
(IV of 1912)

On page 511, in line 6 before “After clause (12) add—” insert “Section 3.—”

The Indian Income-tax Act, 1922
(XI of 1922)

On page 522, in line 12 before “Omit clauses (3A) and (8A)” insert “Section 2.—”

The Indian States (Protection against Disaffection) Act, 1922
On page 525, in line 1 for “the Rulers” read “Rulers”.

Provided that the Officers Commanding, Units and Formations shall furnish to the Executive Officer, a monthly return on the first of every month of all births and as regards the deaths of civilians, which occurred in their respective Units or Formations during the previous calendar month. The above return shall include all such occurrences in the bungalows in their charge. Nil returns are also required. The Head or manager or the person incharge of every club, hotel, orphanage, boarding-house, mosque, temple, or any other such establishment situated within Cantonment limits, shall report to the Executive Officer, within forty-eight hours after the event, the occurrence of every birth or death in any of the aforesaid places under his control.

10. If a dead body is found exposed or in suspicious circumstances within Cantonment limits the Officer-in-Charge of the Police Station, within whose jurisdiction such body is found, shall report the fact to the Executive Officer within forty-eight hours of his becoming aware of it, and shall send a written statement of the circumstances in which death would appear to have been caused, together with a certificate of a Medical Officer explaining of the cause of death.

11. On receipt of any such report as is mentioned in the foregoing bye-laws, the Executive Officer shall either himself, or through any person authorised by him in his behalf, register free of charge the birth or death in the appropriate register maintained for the purpose.

12. Any person may inspect a register of births or deaths on payment of a fee of one rupee.

13. Any person applying for a certified copy of an entry in the birth or death register shall be furnished with such copy, signed by the Executive Officer and sealed with the seal of the Cantonment Board, on payment of such fee as may be prescribed by the Cantonment Board, in this behalf.

14. No person shall wilfully destroy, alter or mutilate, or cause to be destroyed, altered or mutilated, any register of births or deaths, or shall wilfully insert or cause to be inserted, in any such register or certified copy thereof any false entry with regard to any birth or death and no person entrusted with the maintenance of any such register shall without reasonable cause, refuse or omit to enter in the appropriate register any birth or death reported to him.

15. (1) Any clerical error which may, at any time, be discovered in any register of births or deaths may be corrected by the Executive Officer.

(2) An error of fact or substance in any register of births or deaths may be corrected by the Executive Officer, by an entry in the margin, without any alteration of the original entry, upon production by the person requiring such correction of a declaration on oath or solemn affirmation, setting forth the nature of the error and the true fact of the case, made before a Magistrate of the 1st Class, by the person required to give information concerning the birth or death with reference to which the error has been made or, in default of such person, by two respectable persons having knowledge of the case, and certified by such Magistrate to have been made in his presence.

(3) Except as provided in Clauses (1) and (2), no alteration shall be made in any of the registers.

16. Whenever any census is undertaken by the Cantonment Board, or by Government, the owner or occupier of every building or any part thereof, within Cantonment limits, shall give all Cantonment Board or Government employees authorised in this behalf free access to any building or any part thereof, as the